



County of Los Angeles CHIEF EXECUTIVE OFFICE

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SACHI A. HAMAI
Interim Chief Executive Officer

March 5, 2015

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To: Mayor Michael D. Antonovich
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From: Sachi A. Hamai
Interim Chief Executive Officer

SACRAMENTO UPDATE

Executive Summary

This memorandum contains pursuits of County positions on the following measures:

- **Pursuit of County Position to Support AB 171 (Irwin).** This measure would continuously appropriate \$5.6 million from the State General Fund to fund the activities of County Veterans Service Officers. Therefore, unless otherwise directed by the Board, consistent with existing policy to support proposals that provide essential assistance to those who have honorably served in our armed forces, **the Sacramento advocates will support AB 171.**
- **Pursuit of County Position to Support AB 172 (Rodriguez).** This measure would increase penalties for an assault or battery committed against a physician, nurse or other health care worker providing services inside an emergency department of a hospital, clinic or other health facility. Therefore, unless otherwise directed by the Board, consistent with existing policy to support proposals to enhance criminal penalties for persons who commit assaults against health care or mental health service providers while in the performance of their duties, **the Sacramento advocates will support AB 172.**

"To Enrich Lives Through Effective And Caring Service"

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AB 171 (Irwin), which as introduced on January 22, 2015, would continuously appropriate \$5.6 million from the State General Fund to fund the activities of County Veterans Service Officers.

Under existing law, the California Department of Veterans Affairs disburses funds to support County Veterans Service Officers (CVSOs). These funds are allocated on a pro rata basis, to counties that comply with certain conditions. Over the past two years, the State has funded these local services at \$5.6 million statewide as single-year appropriations only.

AB 171 would establish a continuous appropriation for CVSOs of \$5.6 million from the State General Fund and cite legislative intent to increase the annual budget up to \$11.0 million if it is justified by the monetary benefits to the State's veterans. This bill would also require that the Department of Veterans Affairs, by no later than July 1, 2016, develop an allocation formula based upon performance standards that encourage innovation and reward outstanding service by CVSOs.

The Department of Military and Veterans Affairs indicates that CVSOs are the initial, local point-of-contact for claimants accessing the Federal Department of Veterans Affairs (VA), and are instrumental in helping returning veterans in understanding the complex VA process. The Department notes that the Governor's FY 2015-16 Proposed Budget would reduce funding for CVSOs to \$2.6 million statewide. This would jeopardize new efforts that have been implemented to care for veterans. The Department of Military and Veterans Affairs reports that a large number of underserved veterans and their dependents remain unaware of the Federal and State benefits available to them. According to the Department of Military and Veterans Affairs, an estimated 337,000 veterans live in the County. AB 171 would provide additional funding to expand services to these men and women and their dependents and encourage service innovations, thereby securing the continued success of crucial services for veterans.

This office and the Department of Military and Veterans Affairs support AB 171. Therefore, unless otherwise directed by the Board, consistent with existing policy to support proposals to increase efforts to reduce homelessness for veterans and their families, increase affordable housing, mental health services, including treatment for post-traumatic stress disorder and traumatic brain injury, substance abuse treatment, training, placement and employment opportunities, and provide other essential assistance to those who have honorably served in our armed forces, **the Sacramento advocates will support AB 171.**

AB 171 is sponsored by the California Association of County Veteran Service Officers and supported by American Legion, Department of California; AMVETS, Department of California; California State Commanders Veterans Council; Military Officers Association of America, California Council of Chapters; Veterans of Foreign Wars, Department of California; and Vietnam Veterans of America, California State Council. Currently, there is no registered opposition on file.

AB 171 is similar to **County-supported AB 2703 (Quirk-Silva)** of 2014 which would have required the California Department of Veterans Affairs to develop a performance based allocation formula to reward outstanding and innovative service by CVSOs and would have appropriated \$6.0 million from the State General Fund to fund CVSO activities. AB 2703 was placed on the Senate Appropriations suspense file on August 4, 2014, and did not proceed. Additionally, this bill is similar to County-supported SB 296 of 2013 which would have appropriated \$5.0 million from the State General Fund to fund CVSOs. SB 296 was placed on the Senate Appropriations suspense file on May 6, 2013, and did not proceed.

AB 171 is scheduled to be heard in the Assembly Veterans Affairs Committee on March 10, 2015. This is an urgency measure and would take effect immediately upon enactment.

AB 172 (Rodriguez), which as introduced on January 22, 2015, would increase penalties for an assault or battery committed against a physician, nurse or other health care worker providing services inside an emergency department of a hospital, clinic or other health facility.

Under current law, a person convicted of committing an assault or battery on a physician, nurse or other health care worker of a hospital engaged in rendering emergency medical care outside of a hospital, clinic or other health facility, is punishable by a fine not to exceed \$2,000, or by imprisonment in a county jail not to exceed one year, or both. However, if the assault occurs inside a health care facility, the crime is punishable as a lower-level misdemeanor and subject to jail time of six months, unless the victim is seriously injured or a weapon is used.

AB 172 would make the criminal penalties for assaults and batteries committed against a physician, nurse or other health care worker, providing services inside an emergency department equal to the penalties for assaults committed outside of a health facility. This measure would also allow a health care facility that operates an emergency department to post a notice stating threatening or aggressive behavior will not be tolerated and that assault and battery against hospital staff is a crime and may result in a felony conviction.

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The author of AB 172 cites a report by the Emergency Nurses Association which indicates that emergency department health care providers are disproportionately vulnerable to workplace violence due to factors such as treating patients who suffer from behavioral health and substance abuse, overcrowding, high patient volumes, and long wait times.

The Department of Health Services (DHS), Quality Improvement and Patient Safety Program, reports that emergency department health care workers have been victims of assaults in the workplace. According to DHS, AB 172 may help to deter assaults committed against health care workers inside emergency departments and protect the safety of the County's front-line health care providers.

This office and the Department of Health Services support AB 172. Therefore, unless otherwise directed by the Board, consistent with existing policy to support proposals to enhance criminal penalties for persons who commit assaults against health care or mental health service providers while in the performance of their duties, **the Sacramento advocates will support AB 172.**

AB 172 is sponsored by the Emergency Nurses Association and supported by the California Correctional Supervisors Organization. There is no opposition on file. This measure is scheduled for a hearing in the Assembly Public Safety Committee on March 17, 2015.

We will continue to keep you advised.

SAH:JJ:MR
VE:PC:ma

c: All Department Heads
Legislative Strategist
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Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participants